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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,168	03/26/2004	Paul Giampavolo	P/1759-147	1995
207	7590	12/06/2006	EXAMINER	
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109			RODRIGUEZ, RUTH C	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/811,168	Applicant(s) GIAMPAVOLO, PAUL	
	Examiner Ruth C. Rodriguez	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 24-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,26-28,30-34,36 and 37 is/are rejected.
- 7) ☒ Claim(s) 24,25,29 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 26-28, 30-34, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document 2001-61514 (JP '514) in view of Galbreath (US 6,138,330).

A safety buckle comprises a socket, a first catch, a plug, a first latch, a second catch or latch and disengagement device. The socket has a cavity with a first surface. The first catch in the cavity and adjoining the first surface end directed away from the first surface. The plug has a central arm inserted into the socket. The first latch is on the central arm sized and positioned to permit engagement with the first catch when the plug is inserted into the socket in a first relative orientation to releasably retain the plug and socket together. The second catch or second latch on an opposing side of the cavity or central arm, respectively, and sized and positioned with a symmetry to the first catch or first latch, respectively to permit an alternate engagement with the corresponding first catch or first latch. The socket and the plug may be releasably

retained together in a second relative orientation different from the first relative orientation. One of the first or second latches on the central arm is free from engagement when the plug and socket are releasably retained together. The disengagement device is on the socket or plug and operable to disengage one or more engagements involving the central arm. Galbreath fails to disclose that the disengagement device is integral with the socket or plug. However, Galbreath teaches a safety buckle comprises a socket (13) and a plug (10) shaped to be cooperatively joined in a clasped condition (Figs. 1-6 and 14). A latching mechanism (11a,11b,14a) is included in the socket (Figs. 1-6 and 14). The latching mechanisms are arranged with functional symmetry to permit the buckle members to be joined and clasped with the latching mechanism in a plurality of orientations (Figs. 1-6 and 14). A blocking device (16c) protrudes from a first surface of a cavity of the socket and is provided between two members (11a,11b) of the latching mechanism to prevent disengagement of the latching mechanism (Figs. 1-6 and 14). A disengagement device (20) is provided integral with the socket so that the user can pull the blocking device from between the two members (11a,11b) of the latching mechanism in order to allow disengage the latching mechanism (C. 5, L. 23-26 Figs. 1-6 and 14). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the disengagement device being integral with one or more of the first and second buckle members as taught by Galbreath in the buckle of JP '514 such that the disengagement device is attached to the latching mechanism (75c) disclosed by JP '514. Doing so, allows pulling the latching mechanism (75c) of JP '514 by using the

disengagement device (20) of Galbreath without the use of tools since the use of tools is undesirable for emergency situations where the buckle is used with children and quick removal of the latching mechanism is needed and the use of a separate disengagement device is time consuming (finding and using) and complicated (inserting and actuating the tool).

The central arm includes the second latch for cooperating with the first catch of the socket.

A safety buckle (A,B) comprises a first buckle member (A) including a first engagement part (22b,32 or 74a,75c) and a second buckle member (B) including a second engagement part (22,32a). The first and second buckle members are complementary shaped to provide an interactive fit when the first and second buckle members are fitted together in a first orientation (Figs. 1-37). The first and second engagement parts are cooperative to retain the first and second buckle members together when the first and second buckle members are fitted together (Figs. 1-37). One of the first and second engagement parts (B) have a symmetrically functional counterpart (32a) such that one of the first or second engagement parts cooperates with the counterpart to retain the first and second buckle members together when the first and second buckle members are fitted together in a relative orientation different from the first relative orientation (Figs. 6 and 30). The other of the first and second engagement parts being free from engagement (Figs. 6 and 30). A disengagement device is one of the first and second buckle members and operable to disengage one or more engagements involving the central arm. Galbreath fails to disclose that the

disengagement device is integral with the first or second buckle. However, Galbreath teaches a safety buckle comprises a socket (13) and a plug (10) shaped to be cooperatively joined in a clasped condition (Figs. 1-6 and 14). A latching mechanism (11a,11b,14a) is included in the socket (Figs. 1-6 and 14). The latching mechanisms are arranged with functional symmetry to permit the buckle members to be joined and clasped with the latching mechanism in a plurality of orientations (Figs. 1-6 and 14). A blocking device (16c) protrudes from a first surface of a cavity of the socket and is provided between two members (11a,11b) of the latching mechanism to prevent disengagement of the latching mechanism (Figs. 1-6 and 14). A disengagement device (20) is provided integral with the socket so that the user can pull the blocking device from between the two members (11a,11b) of the latching mechanism in order to allow disengage the latching mechanism (C. 5, L. 23-26 Figs. 1-6 and 14). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the disengagement device being integral with one or more of the first and second buckle members as taught by Galbreath in the buckle of JP '514 such that the disengagement device is attached to the latching mechanism (75c) disclosed by JP '514. Doing so, allows pulling the latching mechanism (75c) of JP '514 by using the disengagement device (20) of Galbreath without the use of tools since the use of tools is undesirable for emergency situations where the buckle is used with children and quick removal of the latching mechanism is needed and the use of a separate disengagement device is time consuming (finding and using) and complicated (inserting and actuating the tool).

JP '514 also discloses that:

- The safety buckle further comprises a central arm (30) on one of the first or second buckle members. The first or second engagement part (32a) is located on the central arm (Figs. 1-37).
- The counterpart (32a) is located on an opposite side of the central arm from the first or second engagement part (Figs. 1-37).
- The engagement part on the central is formed as a recess with a shoulder near an end of the central arm (Figs. 2-8e). The counterpart also is arranged on the central part (Figs. 2-8e).

The combination of JP '514 and Galbreath discloses that one of the or second engagement parts (75c) disclosed by JP '514 is located on the disengagement device (20) taught by Galbreath.

A safety buckle (A,B) that can be clasped in a plurality of orientations comprises a first buckle member (A), a second buckle member (B), a first engagement structure (75a), a second engagement structure (32a in the upper surface of the central arm), another engagement structure (32a in the lower surface of the central arm) and a disengagement device (C). The first buckle member and the second buckle member are complementary shaped to fit together with each other in a clasped condition (Figs. 1-37). A first engagement structure and a second engagement structure internal to the buckle in the clasped condition with one of the first and second engagement structures on each of the first and second buckle members and sized and positioned to cooperate with each other to retain the first and second buckle members together in the clasped

condition in a first orientation (Figs. 1-37). The another engagement structure is located on one of the first or second buckle members and sized and positioned to cooperate with one of the first and second engagement structures to retain the first and second buckle members together in the clasped condition in a second orientation different from the first orientation (Figs. 1-37). The another engagement structure is free from engagement in the second orientation (Figs. 1-37). The disengagement device is on one of the first or second buckle members and operable to disengage cooperative engagement structures when actuated (Figs. 1-37). The However, Galbreath teaches a safety buckle comprises a socket (13) and a plug (10) shaped to be cooperatively joined in a clasped condition (Figs. 1-6 and 14). A latching mechanism (11a,11b,14a) is included in the socket (Figs. 1-6 and 14). The latching mechanisms are arranged with functional symmetry to permit the buckle members to be joined and clasped with the latching mechanism in a plurality of orientations (Figs. 1-6 and 14). A blocking device (16c) protrudes from a first surface of a cavity of the socket and is provided between two members (11a,11b) of the latching mechanism to prevent disengagement of the latching mechanism (Figs. 1-6 and 14). A disengagement device (20) is provided integral with the socket so that the user can pull the blocking device from between the two members (11a,11b) of the latching mechanism in order to allow disengage the latching mechanism (C. 5, L. 23-26 Figs. 1-6 and 14). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the disengagement device being integral with one or more of the first and second buckle members as taught by Galbreath in the buckle of JP '514 such that the

disengagement device is attached to the latching mechanism (75c) disclosed by JP '514. Doing so, allows pulling the latching mechanism (75c) of JP '514 by using the disengagement device (20) of Galbreath without the use of tools since the use of tools is undesirable for emergency situations where the buckle is used with children and quick removal of the latching mechanism is needed and the use of a separate disengagement device is time consuming (finding and using) and complicated (inserting and actuating the tool).

JP '514 also discloses that:

- The safety buckle further comprises a central arm (30) on one of the first or second buckle members. The one of the first or second engagement structure (32a) is located on the central arm (Figs. 1-37).
- The another engagement structure (32a) is located on an opposite side of the central arm from the one of the first and second engagement structures (Figs. 1-37).
- The one of the first or second engagement structures or the another engagement structure on the central arm is a recess with a shoulder near an end of the central arm (Figs. 1-37).

The combination of JP '514 and Galbreath discloses that one of the or second engagement structures (75c) disclosed by JP '514 is located on the disengagement device (20) taught by Galbreath

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The at least one or another engagement structure on the central is formed as a recess (32a) with a shoulder (32b) near an end of the central arm (Figs. 1-37).

Allowable Subject Matter

3. Claims 24, 25, 29 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3, 26-28, 30-34, 36 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Form PTO 892- Notice of Reference cited contains all the references that show the state of the art with respect to buckles having some of the features claimed in the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 3677

Status information for unpublished applications is available through Private PAIR only.

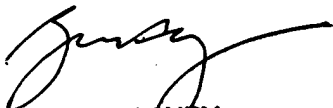
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
December 4, 2006



ROBERT J. SANDY
PRIMARY EXAMINER